**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.22701 OF 2006**

**DATED: 4TH DECEMBER, 2006.**

Between :

Mirza Jalaluddin .. Petitioner

And

The A.P. State Women's Commission,
Budha Bhavan, M.G. Road, Secunderabad
And another. .. Respondents

**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.22701 OF 2006**

**ORDER :**

The petitioner's daughter was married to the 2nd respondent herein on 24-2-2006.

On 11-9-2006 the petitioner made a complaint before the 1st respondent – A.P. State Women's Commission alleging that the 2nd respondent is making efforts to get remarried and that the 2nd respondent along with his mother has been harassing the petitioner's daughter. The said complaint was entertained by the 1st respondent and was registered as Case No.781 of 2006. Pursuant thereto, the 2nd respondent and his mother were summoned and they appeared before the 1st respondent Commission on 28-10-2006. After conducting counselling, the matter was adjourned for further enquiry.

The petitioner alleges that the 2nd respondent with an evil intention to gain time and to contract a second marriage in the meanwhile, sought long adjournment.

Hence, this writ petition seeking a Mandamus directing the 1st respondent to conduct a detailed enquiry into Case No.781 of 2006 by recording the statement of the 2nd respondent and his mother.

I have heard the petitioner, who appeared in person, and perused the material on record.

The learned Government Pleader for Women Development and Child Welfare Department appearing for the 1st respondent, under

instructions stated that basing on the complaint of the petitioner, enquiry has been taken up and the Commission has already conducted two hearings and the enquiry would be completed expediently following the procedure prescribed under the Andhra Pradesh Women's Commission Act, 1998.

As can be seen from the preamble of the A.P. Women's Commission Act, 1998 (for short, 'the Act'), the A.P. Women's Commission has been constituted to improve the status of women in the State of Andhra Pradesh and inquire into unfair practices affecting women and for matters connected therewith or incidental thereto.

As per Section 16 of the Act, the Commission shall inquire into any unfair practice on receiving a written complaint from any woman alleging that she has been subjected to any unfair practice or on a similar complaint from her mother or father or sister or brother or from any women's organization. After preliminary investigation by the Director for the purpose of satisfying itself that the complaint requires enquiry, the Commission may proceed with the enquiry and take a decision thereon and if the Commission finds that there is unfair practice, the Commission shall recommend to the Government the action to be taken thereon or to initiate prosecution.

Having regard to the scheme of the Act and in view of the statement of the learned Government Pleader that the enquiry taken up pursuant to the complaint of the petitioner is under process and the same would be disposed of expediently, it is not necessary to entertain this writ petition.

So far as the allegations against the 2nd respondent are concerned, it is always open to the petitioner to work out the appropriate remedy before the appropriate forum restraining the 2nd respondent from contracting alleged 2nd marriage.

With the above observation, the Writ Petition is dismissed. No costs.

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G. ROHINI, J.

Dt. 4-12-2006
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